

STATEMENT OF SUBSTANCE OF INTERVIEW

[0002] Applicant would like to sincerely thank Examiner Heffington for conducting a telephone interview with Applicant's representative, the undersigned, on 1/11/2010.

[0003] During the interview, the Examiner and Applicant's representative discussed distinctions between the claims and the cited documents, Horn and Ortega.

[0004] Based on the conversation with the Examiner, Applicant's representative understood the Examiner to be favorable towards Applicant's position that each of the independent claims 1, 25, and 28, as presented herein, recites one or more features that are not found in the cited documents of record.

[0005] Specifically, Applicant's representative presented that the following features did not appear to be anticipated by the cited document (Horn):

- and wherein the discretized states include a packed state that, when assigned, causes data items in a grouped category to be displayed under a singular icon ***when viewed from any folder which contains at least one of the data items in the grouped category*** (Claim 1)
- when the state is determined to be in a packed state, the displaying means causes the data items in the subset to be displayed under a singular icon ***when viewed from any directory location which contains at least one of the data items in the subset*** (claim 25)
- displaying a group of data items under a singular icon in the display ***when the group is viewed from any folder within the hierarchical structure that contains at least one of the data items in the group of data items***, when the group of data items is determined to be associated with the packed state (claim 28)

where particular attention was drawn to the text emphasized above.

[0006] Applicant specifically asked for the Examiner to explain where Horn showed or disclosed these features as alleged in the Action mailed 11/18/2009. However, the Examiner was unable to readily explain the rejection or point to particular disclosure in Horn.

[0007] The Examiner offered to reconsider the allowability of these claims, in light of the discussion. Applicant appreciates the offer.

[0008] Applicant reiterates herein that Horn does not anticipate independent claims 1 and 28 for at least the reason that Horn does not show or disclose the features noted in paragraph 0005 of this communication (above).

[0009] Likewise, Applicant reiterates herein that the combination of Horn and Ortega fail to obviate independent claim 25, as Ortega does not cure these deficiencies from Horn.